

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PAR PHARMACEUTICAL, INC., and ENDO  
PAR INNOVATION COMPANY, LLC,

Plaintiffs,

v.

ALKEM LABORATORIES LTD.

Defendant.

CIVIL ACTION NO. 2:23-CV-00400-JRG  
(LEAD CASE)

**JURY TRIAL DEMANDED**

---

PAR PHARMACEUTICAL, INC., and ENDO  
PAR INNOVATION COMPANY, LLC,

Plaintiffs,

v.

MANKIND PHARMA LIMITED

Defendant.

CIVIL ACTION NO. 2:23-CV-00399-JRG  
(MEMBER CASE)

**JURY TRIAL DEMANDED**

**JOINT MOTION TO AMEND DOCKET CONTROL ORDER**

Plaintiffs Par Pharmaceutical, Inc. and Endo Par Innovation Company, LLC (together, “Par”) and Defendants Alkem Laboratories Ltd. (“Alkem”) and Mankind Pharma Limited (“Mankind”) (collectively, “the Parties”) respectfully file this Joint Motion to Amend Docket Control Order and would show the Court as follows:

Pursuant to the Court’s Amended Docket Control Order (Dkt. No. 68), the deadline for the Parties to comply with P.R. 4-3 (Joint Claim Construction Statement) is September 12, 2024. At this time, the Parties seek a brief one-week extension of time up to and including September 19, 2024, for the Parties to comply with P.R. 4-3 (Joint Claim Construction Statement).

The Parties represent that this extension is not sought for the purposes of delay but rather so that justice may be served. Counsel for Alkem met and conferred with counsel for Par and

Mankind to discuss the substantive relief sought in this Motion. The Parties are jointly seeking the relief sought herein.

Accordingly, the Parties respectfully request that the Court grant this Joint Motion and enter an order extending the time in which the Parties are required to comply with P.R. 4-3 (Joint Claim Construction Statement) up to and including September 19, 2024.

Dated: September 10, 2024

Respectfully submitted,

/s/ A. Neal Seth

/s/ Andrea L. Fair

Melissa R. Smith  
State Bar No. 24001351  
**GILLAM & SMITH, LLP**  
303 South Washington Avenue  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257  
Email: melissa@gillamsmithlaw.com

Martin J. Black – LEAD ATTORNEY  
Robert D. Rhoad  
Sharon K. Gagliardi  
Brian M. Goldberg  
Luke M. Reilly  
Daniel R. Roberts  
**DECHERT LLP**  
Cira Centre  
2929 Arch Street  
Philadelphia, PA 19104  
Tel: (215) 994-4000  
martin.black@dechert.com  
robert.rhoad@dechert.com  
sharon.gagliardi@dechert.com  
brian.goldberg@dechert.com  
luke.reilly@dechert.com  
daniel.roberts@dechert.com

A. Neal Seth  
Teresa Summers  
Wiley Rein LLP  
2050 M St. NW  
Washington, DC 20036  
Telephone: 202-719-7000  
Facsimile: 202-719-7049  
nseth@wiley.law  
tsummers@wiley.law

**ATTORNEYS FOR DEFENDANT  
ALKEM LABORATORIES, LTD.**

Jonathan D.J. Loeb, Ph.D.  
**DECHERT LLP**  
2400 W. El Camino Real, Suite 700  
Mountain View, CA 94040-1499  
Tel: (650) 813-4995  
jonathan.loeb@dechert.com

/s/ Rex Mann

Rex Mann  
Brett Johnson  
**WINSTON & STRAWN LLP (#90875)**  
2121 North Pearl Street, Suite 900  
Dallas, TX 75201  
Telephone: (214) 453-6500  
Facsimile: (214) 453-6400  
rmann@winston.com  
mbjohson@winston.com

Of Counsel:

Andrea L. Fair  
Texas Bar No. 24078488  
**WARD, SMITH & HILL, PLLC**  
1507 Bill Owens Pkwy.  
Longview, TX 75604

Maureen Rurka  
Samantha M. Lerner  
**WINSTON & STRAWN LLP (#90875)**  
35 West Wacker Drive  
Chicago, IL 60601  
Telephone: (312) 558-5600  
Facsimile: (312) 558-5700  
mrurka@winston.com  
slerner@winston.com

Tel: (903) 757-6400  
andrea@wsfirm.com

***ATTORNEYS FOR PLAINTIFFS***  
***PAR PHARMACEUTICAL, INC., and ENDO***  
***PAR INNOVATION COMPANY, LLC***

***ATTORNEYS FOR DEFENDANT***  
***MANKIND PHARMA LIMITED***

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Alkem met and conferred with counsel for Par and Mankind to discuss the substantive relief sought in this Motion pursuant to Local Rule CV-7(h). The Parties are jointly seeking the relief sought in this Motion.

/s/ Melissa R. Smith

Melissa R. Smith

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document *via* the Court's CM/ECF system on September 10, 2024.

/s/ Melissa R. Smith

Melissa R. Smith